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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,900	12/14/2001	GopalaKrishna Reddy Kakivaya	MSFT-0735/183222.1	9589
41505 7590 11/19/2007 WOODCOCK WASHBURN LLP (MICROSOFT CORPORATION) CIRA CENTRE, 12TH FLOOR 2929 ARCH STREET PHILADELPHIA, PA 19104-2891			EXAMINER REFAI, RAMSEY	
			ART UNIT 3627	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/016,900

Applicant(s)

KAKIVAYA ET AL.

Examiner

Ramsey Refai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 September 2007.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-22 and 24-35 is/are pending in the application.
- 4a) Of the above claim(s) 32-35 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-22 and 24-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Response to Amendment

Responsive to Amendment filed May 29, 2007 and Response to Election/Restriction filed September 04, 2007. Applicant's election without traverse of Invention 1 (claims 1, 3-22, 24-31) in the reply filed on September 04, 2007 is acknowledged. Claims 1, 3-22, and 24-31 remain pending further examination.

Response to Arguments

1. Applicant's arguments filed May 29, 2007 have been fully considered but they are not persuasive.

- In the remarks, the Applicant argues in substance:

Argument A: *the Applicant disagrees with the 112nd paragraph rejection of claim 3.*

In response, the Examiner disagrees and maintains that the claim 3 remains indefinite. The term “ *the sequence number*” in claim 3 lacks proper antecedence basis because it is not clear which *sequence number* from the previously cited terms in lines 4 and 8 of claim 1 and lines 3 of claim 3 this term is referring to. The term “ *the at least two event messages*” in claim 3 lacks proper antecedent basis because the term “ *at least two event messages*” is recited in line 3 of claim 1 and line 3 of claim 3, and it is not clear which term provides proper antecedence. Claim 3 is also indefinite because it is unclear whether the “ *at least two event messages*” recited in claim 3 is the same as the “ *at least two event messages*” recited in parent claim 1. Rejection is maintained.

Argument B: *Bracho does not teach determining the order of events on the basis of sequence numbers; the cited portion of Bracho teaches that duplicate events are discarded on the basis of sequence numbers, but not that the sequence numbers are used for ordering events.*

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Furthermore, Bracho et al do not teach the sequence numbers are on a per subscription basis.

In response, the Examiner respectfully disagrees. As is well known to one skilled in the art, a sequence number is used to determine order. Bracho et al' s discarding of duplicate events based on the sequence number clearly teaches that the sequence number is used to determine the order of the events (See column 14, lines 14-17). Furthermore in Figure 9, Bracho et al teach routing blocks for each event. The routing information includes a sixty-four-bit sequence number initially assigned to the event by the publisher. (See Fig. 9, column 15, lines 36-39) Therefore, Bracho meets the scope of the claimed limitation.

Claim Objections

2. Claim 3 is objected to because of the following informalities: Claim 3 depends on canceled claim 2. Appropriate correction is required. For examination purposes, claim 3 will be taken to depend from claim 1.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

4. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 3 recites the limitations "" the sequence number", " the at least two event messages which lack proper antecedent basis.

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Claim 3 is also indefinite because it is unclear whether the “ at least two event messages” recited in claim 3 is the same as the “ at least two event messages” recited in parent claim 1.

Claim Rejections – 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 3-4, 6-16, 18-22, 24-26, and 28-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Bracho et al (U.S. Patent No. 5,974,417).

7. As per claims 1 and 23, Bracho et al teach a method for receiving event notification in a network, comprising:

subscribing to a first event source to create an event subscription (column 4, lines 50-52, abstract);

receiving at least two event messages(column 2, lines 17-20, abstract) each comprising a subscription based sequence number and a time stamp from the first even when events occur at the first event source(Figure 9, abstract); and

determining the order of events within the first event source on the basis of the sequence number within the at least two event messages (Figure 9, column 14, lines 6-18, abstract); and

revoking the event subscription (column 7, line 15).

8. As per claim 3, Bracho et al teach subscribing to a second event source;

receiving at least two event messages each comprising a sequence number and a time stamp from the second event source when second events occur at the second event source (Figure 9, column 14, lines 6-18, column 10, lines 1-19);

determining the order of events within the second event source on the basis of the sequence number within the at least two event messages from the second event source (Figure 9, column 14, lines 6-18, column 10, lines 1-19); and

ordering the events from the second event source with respect to the first event source on the basis of the time stamp within each of the at least two event messages from the first event source and the at least two second event messages from the second event source (column 7, lines 55-67, column 6, lines 55-67, column 10, lines 1-19).

9. As per claim 4, Bracho et al teach wherein the received event messages are described with a Type Description Language (column 4, lines 45-47).

10. As per claim 6, Bracho et al teach wherein the received event messages can convey both absolute and relative values (column 11, line 40-60).

11. As per claim 7, Bracho et al teach wherein the first event source defines the events raised by the first event source as a name-type pair (column 4, lines 50-63, column 6, lines 55-67).

12. As per claim 8, Bracho et al teach wherein the event source and an event sink are identified using standard types IEventSource and IeventSink, respectively (column 12, lines 4-42).

13. As per claim 9, Bracho et al teach wherein the first event source supports filtering of events raised by the first event source (column 8, lines 17-30).

14. As per claim 10, Bracho et al teach wherein a subscriber can establish an event filter as part of an initial subscription (column 8, lines 17-30).

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15. As per claim 11, Bracho et al wherein a subscriber can update an event filter established as part of an initial subscription (column 8, lines 17-30, column 11, line 1-5) .

16. As per claim 12, Bracho et al teach wherein the Type Description Language comprises a markup language (column 4, lines 45-47).

17. As per claim 13, Bracho et al teach wherein the first event source messages are one-way messages (column 14, line 63- column 15, line 17).

18. As per claim 14, Bracho et al teach wherein the event subscription is made to the first event source by way of an intermediary (column 14, line 63- column 15, line 17).

19. As per claim 15, Bracho et al teach wherein the event is received through an intermediary (column 8, line 30-50).

20. As per claim 16, Bracho et al teach wherein the event subscription is defined in a type description language (column 4, lines 45-47).

21. As per claim 18, Bracho et al wherein the first event source is an object on a digital device (column 4, lines 1-39).

22. As per claim 19, Bracho et al teach comprising setting a lease term after an expiration of which the first event source discontinues transmission of event messages (column 7, line 15, column 23).

23. As per claim 20, Bracho et al teach comprising sending a renewal message to renew the lease term (column 7, line 1-15).

24. As per claim 21, Bracho et al teach wherein the network is an intranet (Figure 1, column 4, line 40-50).

25. As per claim 22, Bracho et al teach wherein the network is the Internet (Figure 1, column 4, line 40-50).

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26. As per claims 24-26, and 28-31, these claims are similar to claims 1, 2, 4, 13, 14, and 19-21 above, therefore are rejected under the same rationale.

Claim Rejections - 35 USC § 103

27. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

28. Claims 5, 17, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bracho et al (U.S. Patent No. 5,974,417)

29. As per claim 5, Bracho et al fail to teach wherein the received event messages are delivered as SOAP messages.

However, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to combine the use of SOAP messages in Bracho et al because doing so would create a broader and simpler network by allowing programs of different operating systems and protocols to transfer event messages with one another.

30. As per claims 17, and 27 Bracho et al fail to teach the use of extensible markup language.

However, it would have been obvious to one of the ordinary skill in the art at the time of the applicant's invention to include extensible Markup Language because lets Web developers and designers create tags that offer greater flexibility in organizing and presenting information than is possible with the older HTML document coding system.

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Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramsey Refai whose telephone number is (571) 272-3975. The examiner can normally be reached on M-F 8:30 - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on (571) 272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ramsey Refai
Examiner
Art Unit 3627
November 10, 2007
/RR/

 11/13/07
MICHAEL CUFF
PRIMARY EXAMINER